

Message Text

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ACTION EUR-12

INFO OCT-01 NEA-10 IO-13 ISO-00 CIAE-00 COME-00 EB-08
INR-07 LAB-04 NSAE-00 SIL-01 DODE-00 PA-01
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FM AMEMBASSY MADRID
TO SECSTATE WASHDC PRIORITY 9583
INFO AMEMBASSY BONN
AMEMBASSY BRUSSELS
AMEMBASSY COPENHAGEN
AMEMBASSY THE HAGUE
AMEMBASSY LISBON
AMEMBASSY LONDON
AMEMBASSY NEW DELHI
AMEMBASSY OSLO
AMEMBASSY PARIS
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USMISSION EC BRUSSELS
USMISSION GENEVA

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NEW DELHI PASS DALE GOOD, LABATT CONFERENCE

E.O. 11652: N/A
TAGS: ELAB, SP
SUBJECT: LEGALIZATION OF TRADE UNIONS BILL PASES CORTES

SUMMARY. BY AN OVERWHELMING VOTE OF 320 TO 41, THE CORTES
ON MARCH 30 APPROVED THE GOVT'S BILL LEGALIZING TRADE
UNIONS. IN HIS PRESENTATION, SYNDICAL RELATIONS MINISTER DE
LA MATA POINTED OUT THAT POLITICAL FREEDOM MUST NECESSARILY
BE FOLLOWED BY FREE TRADE UNIONISM. HE ALSO EMPHASIZED THAT
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THIS BILL IS NOT LABOR REFORM PER SE, BUT REPRESENTS THE
MINIMUM STEPS LEADING TO IT. IT WAS A "LAW FOR LIBERTY" WHICH
WAS MEANT TO PROMOTE A "CLIMATE OF STABILITY." OPPOSITION
TRADE UNIONS WILL NOW COMMENCE SUBMITTING THEIR STATUTES,
WHICH IF FOUND TO BE LEGALLY CORRECT, WILL RESULT IN THEIR
REGISTRATION AS BONA FIDE LABOR ORGANIZATIONS. END SUMMARY.

1. WITH PRIME MINISTER SUAREZ AND HIS CABINET IN ATTENDANCE TO CONVEY THE IMPORTANCE THE GOVT ATTACHED TO LABOR REFORM, THE CORTES ON MARCH 30 PASSED THE RIGHT OF TRADE UNION ASSOCIATION BILL (READ LEGALIZATION OF TRADE UNIONS) BY A VOTE OF 320 TO 41 WITH 41 ABSTENTIONS, FOUR HUNDRED AND TWO OF THE 522 MEMBERS OF THE CORTES WERE PRESENT FOR THE FOUR-HOUR PLENARY SESSION DEBATE, WHICH FINALLY TOOK PLACE WELL OVER TWO-AND-A-HALF MONTHS AFTER THE BILL'S SUBMISSION TO PARLIAMENT (MADRID 239). FOLLOWING THE PRESENTATION OF 6 AMENDMENTS (3 OF WHICH WERE SUBSEQUENTLY WITHDRAWN), SYNDICAL RELATIONS MINISTER ENRIQUE DE LA MATA PRESENTED THE BILL ON BEHALF OF THE GOVT. HIGHLIGHTS OF HIS REMARKS FOLLOW.

2. THE PASSAGE OF THE POLITICAL REFORM BILL LAST NOVEMBER --APPROVED OVERWHELMINGLY IN THE DECEMBER REFERENDUM"" SET THE TONE FOR THIS LABOR REFORM DEBATE, ONE OF THE MOST SIGNIFICANT MATTERS THE CORTES WILL HAVE CONSIDERED. POLITICAL FREEDOM MUST BE IN TUNE WITH CURRENT REALITIES, AND THIS IS ESPECIALL Y

TRUE WITH RESPECT TO LABOR RELATIONS. TRADE UNIONS ARE ALREADY A FACT OF LIFE IN SPAIN AND IT IS TIME TO GRANT THEM LEGAL RECOGNITION. NOT TO DO SO WOULD BE ABSURD IN VIEW OF OUR ACCOMPLISHMENTS IN THE FIELD OF POLITICAL RIGHTS AND HUMAN RIGHTS. IT SHOULD BE UNDERSTOOD THAT THIS BILL IS NOT LABOR REFORM PER SE, BUT REPRESENTS THE MINIMUM STEPS LEADING TO IT. THIS LAW ALSO CALLS FOR THE EXERCISE OF RESPONSIBILITIES: NEW LABOR ORGANIZATIONS FOR NEW TIMES WHICH WILL NOT BREAK THE RHYTHM OF OUR DEMOCRATIC PROGRESS. THIS LAW SEEKS A CLIMATE OF STABILITY. THE MAIN LIMITED OFFICIAL USE

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PHILOSOPHY BEHIND THIS LEGISLATION IS QUITE SIMPLE: FREEDOM OF THE WORKER TO ASSOCIATE AS HE CHOOSES.

3. THE MINISTER THEN POSED FOUR BASIC QUESTIONS AND ANSWERED THEM. A) IS THE BILL CONSTITUTIONALLY VALID? YES. B) IS IT NECESSARY? YES, IN ORDER TO ACHIEVE THE NORMAL LABOR RELATIONS SYSTEM A DEMOCRATIC NATION REQUIRES. C) IS IT SUFFICIENT? IT IS ONLY A FIRST STEP, BUT ENOUGH FOR NOW. D) IS IT OPPORTUNE? NOT TO PASS IT WOULD APPLY BRAKES TO OUR DEMOCRATIC PROGRESS, IN ADDITION TO CAUSING CONFUSION AND ANARCHY.

4. IN A BID TO SMOOTH RELATIONS WITH DIE-HARD BUNKER SUPPORTERS OF THE OFFICIAL VERTICAL SYNDICAL ORGANIZATION (SSO), DE LA MATA STRESSED THAT THE BILL IMPLIED NO CRITICISM OF THE OLD SYSTEM BUT WAS RATHER AN EVOLUTION OF LABOR RELATIONS. THE SSO EXPERIENCE WAS PART OF THE DISCIPLINED POLITICAL SYSTEM OF THE PAST AND THE GAINS OBTAINED FOR WORKERS WOULD HAVE A PLACE IN SPANISH HISTORY.

BUT SPAIN NOW HAD TO FACE NEW TIMES WHICH REQUIRED NEW SYSTEMS. IT WAS A "LAW FOR LIBERTY," AND THE PROSPERITY OF SPAIN DEMANDED A SYSTEM OF FREE TRADE UNIONISM.

5. VOTES ON THE 3 REMAINING AMENDMENTS WHICH HAD NOT BEEN WITHDRAWN PRECEDED THE FINAL VOTE. THE MOST SIGNIFICANT WAS AN AMENDMENT WHICH ASKED THAT THE GOVT ON CERTAIN MATTERS "CONSULT" WITH THE OFFICIALLY-SPONSORED SSO COUNCIL OF WORKERS AND COUNCIL OF EMPLOYERS. THERE WERE APPARENTLY SUFFICIENT CORTES MEMBERS WITH NOSTALGIC SENTIMENTS FOR THE SSO SYSTEM TO ASSURE ITS PASSAGE BY A VOTE OF 175 TO 159 (66 ABSTENTIONS). FOLLOWING THIS LAST MILD TRIBUTE TO THE FRANCO-ERA, THE CORTES DUTIFULLY DELIVERED ITS OVER-WHELMING 320 TO 41 LABOR REFORM VOTE LEGALIZING TRADE UNIONS. THE LABOR REFORM VOTE, INCIDENTALLY, INAUGURATED THE CORTES' NEW ELECTRONIC VOTING SYSTEM WHICH PROVOKED SOME MOMENTARY CONFUSION AND BANTERING COMMENTS UNTIL THE NEW TECHNIQUE LIMITED OFFICIAL USE

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WAS EXPLAINED. AS A CONSEQUENCE OF THIS BILL, THE OPPOSITION TRADE UNIONS WILL NOW COMMENCE SUBMITTING THEIR STATUTES, WHICH IF FOUND TO BE LEGALLY CORRECT, WILL RESULT IN THEIR REGISTRATION AS BONA FIDE LABOR ORGANIZATIONS. EATON

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